

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Alexander Lai	Team: Team # 1	CCRB Case #: 201010939	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 08/09/2010 11:45 PM	Location of Incident: 3983 White Plains Road	Precinct: 47	18 Mo. SOL 2/9/2012	EO SOL 2/9/2012	
Date/Time CV Reported Tue, 08/10/2010 10:07 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 08/10/2010 10:07 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Brandon Ravelo	26010	948409	BX IRT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Shane Samuels	23844	946656	BX IRT
2. POF Ashley Washington	01271	946714	BX IRT

Officer(s)	Allegation	Investigator Recommendation
A.POM Brandon Ravelo	Off. Language: PO Brandon Ravelo made remarks to § 87(2)(b) based upon her sex.	

Case Summary

§ 87(2)(b) filed a complaint with the CCRB via the call-processing system and over telephone on August 10, 2010.

On August 9, 2010, at approximately 11:45pm, § 87(2)(b) entered the A-Z convenience store located on 3983 White Plains Road in the Bronx, where PO Brandon Ravelo, PO Shane Samuels, and PO Ashley Washington, all assigned to Bronx IRT, were inside. The subsequent interaction resulted in the following allegation:

- **Allegation A: Offensive Language** – PO Brandon Ravelo made remarks to § 87(2)(b) based upon her sex. § 87(2)(g)

§ 87(2)(g)

Results of Investigation

Civilian Statement

Complainant: § 87(2)(b)

§ 87(2)(b) is a § 87(2)(b)-old black female who stands 5'8", weighs 238 pounds, and has brown hair and brown eyes. She declined to divulge her employment status.

CCRB Testimony

§ 87(2)(b) gave a phone statement on September 8, 2010, and was interviewed at the CCRB on September 22 (encl. 5a). § 87(2)(g)

On August 9, 2010, at approximately 11:45pm, after buying food from a Chinese restaurant, § 87(2)(b) walked to A-Z Convenience store, located on 3983 White Plains Road, with her neighbor's § 87(2)(b)-old daughter, § 87(2)(b). As she approached the sole entrance in the front, a neighborhood friend who she refers to as a nephew, "§ 87(2)(b) exited the store. § 87(2)(b) and § 87(2)(b) said hello and hugged each other. § 87(2)(b) opened the store door and saw three uniformed officers, identified via nameplate as PO Brandon Ravelo, PO Shane Samuels, and PO Ashley Washington, standing in the back and directly in front of the entrance.

PO Ravelo was described as a Hispanic male, 5'6" to 5'7", stocky, 29 years old, and with short black hair. PO Samuels was a black male, stocky, 5'7", 29 years old, and with short black hair. PO Washington was a Hispanic female, 5'7", 27-28 years old, and had a black ponytail.

During the interview, § 87(2)(b) drew a map of the store, and marked the officers' location as "R" for PO Ravelo, "S" for PO Samuels, and "W" for PO Washington. The store's cashier, known only as "§ 87(2)(b)" was marked on the map as a circle with three dots within it. Upon opening the door and observing the officers, § 87(2)(b) let the door close and did not enter, saying to § 87(2)(b) "Oh man, there goes that cop that gave me the ticket for the beer." § 87(2)(b)

was referring to an incident on § 87(2)(b), in which she was issued a summons for § 87(2)(b) by PO Ravelo's partner.

PO Ravelo said words to the effect of, "Yeah, and I'll keep on giving you more tickets." § 87(2)(b) left while § 87(2)(b) and § 87(2)(b) entered the store. § 87(2)(b) did not speak to the officers as she walked past them towards the soda and freezer section. As she came back, she overheard PO Ravelo speaking with PO Washington and PO Samuels about his encounters with § 87(2)(b). PO Ravelo said that he suspected § 87(2)(b) of alcohol consumption outdoors on § 87(2)(b), and on § 87(2)(b) found an empty beer bottle in a bag alongside her, and issued her a summons in regards to it.

§ 87(2)(b) said to PO Ravelo, "You know it was wrong for you to issue me that ticket. You know I didn't have any alcohol or beer." PO Ravelo made a verbal response that § 87(2)(b) didn't recall, and she replied, "You only gave me that ticket because I didn't disrespect you like the rest of the people did. The reaction I gave you wasn't the reaction that you wanted." PO Ravelo initially appeared nonchalant, but became visibly agitated after § 87(2)(b) made that comment. She began walking toward the counter to pay for the juice she got as PO Ravelo spoke to the other officers. § 87(2)(b) and PO Ravelo made a statement to each other that she did not recall, and PO Ravelo said, "Yeah, get the fuck out of here. You better get out before we lock you up." § 87(2)(b) took out her cell phone and said, "Go ahead because I'm recording it." She did not actually record the incident. PO Ravelo made a comment about her phone, but she did not recall what was said. § 87(2)(b) appeared scared and began holding onto § 87(2)(b). § 87(2)(b) placed a container of iced tea she bought from the Chinese restaurant onto the counter and when § 87(2)(b) grabbed onto her, § 87(2)(b) accidentally spilled it. An employee mopped up the spill. PO Ravelo said, "That's what you get, stupid," and interchangeably spoke with PO Samuels and PO Washington while also calling § 87(2)(b) a "lowlife" and a "bitch." Upon hearing the latter, § 87(2)(b) said to PO Ravelo, "Your mother." She left the store 3-4 minutes after initially speaking with PO Ravelo, and walked back to her home on § 87(2)(b) St. § 87(2)(b).

A mutual friend, who she only knew as "§ 87(2)(b)" walked down the street, saw § 87(2)(b) and asked her if she was alright. § 87(2)(b) upset, explained to him that an officer had cursed at her in the store, and she asked him if she would get into trouble if she asked for their name and badge number. § 87(2)(b) said no, and § 87(2)(b) gave the Chinese food she had bought to her daughter, § 87(2)(b), who was at her home on § 87(2)(b) St. § 87(2)(b) then walked back to the convenience store with § 87(2)(b).

§ 87(2)(b) and § 87(2)(b) entered the store and PO Ravelo, PO Samuels, and PO Washington were standing in the same place when they last spoke. § 87(2)(b) stood 3-4 feet away from the officers and began writing down their names and shield numbers. She did not speak to the officers as this was done. PO Ravelo said, "You want my badge number? I want your ID." § 87(2)(b) did not verbally respond, and began to walk out of the store. PO Ravelo exited the store first, and PO Samuels and PO Washington exited after § 87(2)(b). PO Ravelo stood in front of § 87(2)(b) while PO Samuels and PO Washington stood on the opposite sides of her. § 87(2)(b) said that she did not have ID. PO Ravelo said, "If you don't have ID, then I'm going to lock you up, and the female officer is going to frisk you." He then spoke on his radio, and a marked van and an unmarked patrol car arrived. § 87(2)(b) gave her ID to PO Washington, who gave it to PO Ravelo. She observed PO Ravelo write her a summons for § 87(2)(b) which was subsequently given to her. She then walked back to her home. From the time she returned to the store and was given the summons, § 87(2)(b) was at the location for

approximately ten minutes. § 87(2)(b) PO Samuels, and PO Washington did not speak to each other at any point during this incident.

Attempts to Contact Civilians

The undersigned investigator, along with Inv. Ian Allen, went to the A-Z convenience store at 3983 White Plains Road. The store owner, § 87(2)(b), stated that the employee that was present on the date of the incident was out of the country indefinitely. He agreed to contact the investigator if he spoke to the employee, and stated that his store camera was out of service (encl. 10e).

NYPD Statement(s):

Subject Officer: PO BRANDON RAVELO

PO Ravelo, is a § 87(2)(b)-old Hispanic male who stands 5'7", weighs 200 pounds, and has brown hair and brown eyes. On August 9, 2010, he was on-duty from 5:30pm to 2:05am, assigned to post 5-8 in uniform with PO Medina.

Memo book

On August 9, 2010, at 11:50pm, § 87(2)(b) of § 87(2)(b) was stopped on East 225th Street and White Plains Road. § 87(2)(b) said to police officers, "Don't talk to that faggot stupid-ass beat walker." She refused to give PO Ravelo her ID, and kept talking about a summons she was issued by him earlier that year. Summons § 87(2)(b) for § 87(2)(b) was served.

Summons

On August 9, 2010, at approximately 11:50pm, PO Ravelo issued a § 87(2)(b) summons to § 87(2)(b) pursuant to § 87(2)(b).

CCRB Testimony

PO Ravelo was interviewed at the CCRB on November 24, 2010 (encl. 6d).

On August 9, 2010, PO Ashley Washington needed to use the restroom, and PO Ravelo accompanied her and PO Shane Samuels to a convenience store at 3983 White Plains Road. PO Medina had made an arrest and was not present. As he entered, PO Ravelo saw the store owner and asked him how everything was going, and began speaking to him and an unidentified customer. There were approximately 4-5 customers inside the store. Meanwhile, § 87(2)(b) entered the store with a 7-12 year-old girl and said to the customer, "Don't talk to that faggot-ass, stupid-ass beat walker." She began "ranting" about a summons she was issued earlier that year for drinking in public, and denied the charge. § 87(2)(b) called PO Ravelo a "faggot," "stupid-ass motherfucker," and said, "All you do is harass innocent black people." PO Ravelo said, "Why don't you be a role model? You have a little girl with you. Relax. Stop talking like that." PO Samuels did not speak to § 87(2)(b). The store owner asked § 87(2)(b) why she was yelling in his store. In addition, the store customers stopped and began watching the verbal exchange. PO Ravelo then asked § 87(2)(b) to leave the store and decided not to issue her a summons at that time because she was with a minor. § 87(2)(b) was in the store for approximately 2-3 minutes.

PO Ravelo remained inside the store and continued to speak with the owner, who said that § 87(2)(b) "always comes in here starting problems." Approximately 3-4 minutes later, § 87(2)(b)

§ 87(2)(b) returned into the store with a black male who stood 5'10" and in his 40s, and without the child. PO Ravelo did not know the male's relationship with § 87(2)(b). She continued "ranting and raving" and cursing towards PO Ravelo while the unidentified male did not speak. PO Ravelo asked her to step outside, and she complied.

Outside, PO Ravelo asked her multiple times for her ID, but she refused, and PO Ravelo said, "Without your ID, I'm going to have to place you under arrest and bring you back to the Precinct so I could properly [identify] you." PO Ravelo denied that he mentioned arresting her at any other time. After 3-4 additional requests for her ID, § 87(2)(b) retrieved her ID and said, "I'm not giving it to you." § 87(2)(b) handed her ID to PO Washington who just exited the store, and PO Washington gave the ID to PO Ravelo. PO Ravelo radioed that he had stopped one female at that location, and ran a warrant check. After receiving negative results for warrant checks, PO Ravelo issued her a summons for § 87(2)(b).

As PO Ravelo started to write the summons, § 87(2)(b) said that she was going to call 911 to file a complaint against him. PO Ravelo told her to call the 47th Precinct, where personnel would refer her to the CCRB. § 87(2)(b) began dialing on her cell phone, and PO Ravelo overheard her saying over the phone that she wanted to file a complaint against him, PO Samuels, and PO Washington. She retrieved a paper and pen, and began writing PO Ravelo's, PO Samuels', and PO Washington's name and shield numbers. PO Ravelo denied that § 87(2)(b) asked for the officers' name and shield numbers prior to his writing her a summons. PO Samuels and PO Washington did not speak to § 87(2)(b) at any point.

PO Ravelo denied using profanity and denied hearing any officer use profanity during this incident. PO Ravelo denied saying to § 87(2)(b) "Get the fuck out of here," and denied calling her "stupid" or "bitch." He denied hearing any officer utter the same.

Witness Officer: PO SHANE SAMUELS

PO Samuels is a § 87(2)(b)-old black male who stands 5'7", weighs 179 pounds, and has black hair and brown eyes. On August 9, 2010, he was on-duty from 6:30pm to 2:05am, assigned to foot post 14-16 in uniform and with PO Ravelo and PO Washington.

Memo Book

On August 9, 2010, at 11:50pm, § 87(2)(b) was stopped and she was acting in a violent, tumultuous behavior. PO Ravelo issued her a summons § 87(2)(b) at 3983 White Plains Road.

CCRB Testimony

PO Samuels was interviewed at the CCRB on November 24, 2010 (encl. 7d). § 87(2)(g)

PO Samuels did not recall specific statements made by § 87(2)(b) or PO Ravelo during the incident, and he did not speak to her. PO Samuels denied speaking to § 87(2)(b) and denied that PO Washington spoke to her at any point during this incident.

Witness Officer: PO ASHLEY WASHINGTON

PO Washington is a § 87(2)(b)-old black female who stands 5'6", weighs 160 pounds, and has brown hair and brown eyes. On August 9, 2010, she was on-duty from 5:30pm to 2:05am, assigned to foot post 9/10 with PO Shane Samuels in uniform.

Memo book

PO Washington had no memo book entries regarding this incident.

CCRB Testimony

PO Washington was interviewed at the CCRB on November 23, 2010 (encl. 8c). § 87(2)(g)

§ 87(2)(b)

PO Washington exited the bathroom and walked out the store, where she observed § 87(2)(b) screaming at PO Ravelo, saying, “I’m not giving you my fucking ID. I’ll give her my ID.” § 87(2)(b) was irate, screaming and cursing. § 87(2)(b) then gave PO Washington her ID, and PO Washington, who did not know what was happening, immediately gave the ID to PO Ravelo. PO Washington walked away from the two officers and § 87(2)(b) standing approximately two car lengths away. PO Washington did not see any other police units present, and did not recall if § 87(2)(b) was accompanied by other individuals at any point.

After approximately 5 minutes, § 87(2)(b) began using her cellphone and read aloud the name and shield numbers of PO Ravelo and PO Samuels over the phone. She then walked towards PO Washington and read aloud her name and shield number into the phone.

PO Washington and § 87(2)(b) did not speak to each other at any point during this incident. She denied that PO Ravelo and PO Samuels spoke to § 87(2)(b) prior to her entering the store to use the bathroom. PO Washington did not know why PO Ravelo wanted § 87(2)(b)'s ID, and did not know if she was issued a summons.

Summons for Incident and Disposition

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b)

Status of Civil Proceedings

§ 87(2)(b) has not filed a Notice of Claim with the City of New York as of November 15, 2010, with regard to the incident (encl. 11a).

Civilian(s) CCRB History

This is the first CCRB complaint filed by § 87(2)(b) (encl. 2a).

Subject Officer(s) CCRB History

PO Ravelo has been a member of the service for 1 year and there are no substantiated CCRB allegations against him (encl. 1a).

Conclusion

Identification of Subject Officer

PO Ravelo acknowledged interacting with § 87(2)(b)

Investigative Findings and Recommendations

Allegations Not Pled

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g) [Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

§ 87(2)(g) [Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Allegation A: Offensive Language – PO Brandon Ravelo made remarks to § 87(2)(b) [Redacted] based upon her sex.

§ 87(2)(b) [Redacted] stated that PO Ravelo used the words “bitch,” “fuck,” and “stupid” towards her. PO Ravelo, PO Samuels, and PO Washington denied making those statements, and denied hearing any officer utter the same. § 87(2)(g) [Redacted]
[Redacted]

Team: _____

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Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date